IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN
AT JAIPUR BENCH, JAIPUR

O R D E R

S.B. CIVIL WRIT PETITION NO. 4932/1999

RAVINDER KUMAR CHIPA & ORS.
Vs.
STATE OF RAJASTHAN & ORS.

Date: 19.12.2006.

HON'BLE MR. K.S. RATHORE, J.

Mr. Babu Lal Gupta for the petitioners.
Mr. B.S. Chhaba, Addl. GA for the State.
Mr. Umesh Shringi for
Mr. Manoj Sharma for respondent No.3.
Mr. Lokesh Sharma for the respondents.

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Heard rival submissions of the respective parties.

It is not disputed that the petitioners were engaged as Sanitary Inspectors on daily wages basis @ Rs. 80/- per day by the Public Health & Employment Training Institute (Jan Swasthya Avam Rojgar Prashikshan Sansthan, Jaipur) for a fixed term.

It is also not disputed that they were not given appointment by the respondent Municipal Corporation, Jaipur on regular or temporary basis, but were given appointment by respondent No.4 Jan Swasthya Avam Rojgar Prashikshan Sansthan, Jaipur, thus, they are not the employees of the Municipal Corporation and,

therefore, the relief claimed by the petitioners for reinstatement back in service w.e.f. 21.04.99 does not arise and the petitioners have got no legal right to continue on the post as they were engaged by a Agency for a fixed term and their relation with Municipal Corporation as Master Servant is not fit in the instant case. Therefore, no writ, order or direction can be issued to the respondent Municipal Corporation and the State.

Further the petitioners submit that at the time of regular appointments on the post of Sanitary Inspector, they may be considered. The petitioners are at liberty to apply for the posts of Sanitary Inspectors as and when the posts are advertised for regular selection and the respondents are expected to consider the candidature of the petitioners, if otherwise they satisfy the eligibility and criteria as laid down by the respondents, but in any case, at this stage, I find no force in the writ petition.

Consequently, the writ petition fails and the same is hereby dismissed.

(K.S. RATHORE),J.

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